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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,079	03/30/2001	Errol C. Heiman	STL9524	6981

7590                    07/11/2002

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[REDACTED] EXAMINER

LEROUX, ETIENNE PIERRE

[REDACTED] ART UNIT

[REDACTED] PAPER NUMBER

2858

DATE MAILED: 07/11/2002

6

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/823,079	Applicant(s) Heiman et al
	Examiner Etienne L Roux	Art Unit 2858

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1)  Responsive to communication(s) filed on Mar 30, 2001
- 2a)  This action is FINAL.      2b)  This action is non-final.
- 3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle* 1035 C.D. 11; 453 O.G. 213.

#### Disposition of Claims

- 4)  Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5)  Claim(s) \_\_\_\_\_ is/are allowed.
- 6)  Claim(s) 1-17 is/are rejected.
- 7)  Claim(s) \_\_\_\_\_ is/are objected to.
- 8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9)  The specification is objected to by the Examiner.
- 10)  The drawing(s) filed on \_\_\_\_\_ is/are a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12)  The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All b)  Some\* c)  None of:

1.  Certified copies of the priority documents have been received.
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a)  The translation of the foreign language provisional application has been received.
- 15)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- 1)  Notice of References Cited (PTO-892)
- 2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). 5
- 4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5)  Notice of Informal Patent Application (PTO-152)
- 6)  Other: \_\_\_\_\_

Art Unit: 2858

***Specification***

1. The abstract of the disclosure is objected to because it is not one paragraph. Correction is required. See MPEP § 608.01(b).

***Information Disclosure Statement***

2. The information disclosure statement is objected to because per MPEP 609, 37 CFR 1.98 (b), (1) each US patent must be identified by inventor, patent number, and issue date. Correction is required.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 4, 8 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 recites “The method of claim 1 wherein step (d), prior to step (a), comprises applying a sequence of voltages during power-on.” Examiner suggests ‘The method of claim 1 further comprising step (d) .....’

Claim 8 recites “(a) at least one power source, (d) circuitry coupled to a power source.” It is difficult to ascertain whether applicant is claiming one power source or two power sources.

Art Unit: 2858

Claim 13 recites "one connector" and the "other connector" Examiner suggests "the first connector" and "the second connector" respectively.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-3, 8-10 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Arnoldi (USPAT 3,979,672).

With respect to claim 1, Arnoldi discloses (a) applying a nominal voltage to an electronic component [Fig 1, 10], (b) introducing a voltage disruption to the nominal voltage [Fig 1, 30], (c) repeating the voltage disruption for a specified number of instances [Fig 1, 30].

With respect to claims 2 and 9, Arnoldi discloses wherein a voltage disruption comprises applying an increase in voltage [col 2, lines 5-10, col 6, line 57 through col 7, line 11].

With respect to claims 3 and 10, Arnoldi discloses a voltage disruption comprising a decrease in voltage [col 2, lines 44-53]

With respect to claim 8, a connector from the circuitry to a device is inherent in Fig. 1

Art Unit: 2858

With respect to claim 17, Arnoldi discloses a means for generating a voltage disturbance  
[[Fig 1, 30]

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arnoldi (USPAT 3,979,672) as applied to claims 1 and 8 above.

With respect to claim 11, Arnoldi discloses the claimed invention except for wherein there are multiple power sources that comprise multiple voltage magnitudes. It would have been obvious at the time the invention was made to modify Arnoldi to include wherein there are multiple power sources that comprise multiple voltage magnitudes since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art.

*St Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

With respect to claim 12, Arnoldi discloses both a decrease [col 2, lines 44-53] and an increase [col 2, lines 5-10, col 6, line 57 through col 7, line 11] in voltage

Art Unit: 2858

With respect to claim 13, Arnoldi discloses the essential elements of the claimed invention except for wherein there are two connectors linked from the circuitry to two separate devices, one connector configured for the voltage disturbances that are due to an increase in voltage and the other connector configured for the voltage disturbances that are due to a decrease in voltage. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Arnoldi to include two connectors linked from the circuitry to two separate devices, one connector configured for the voltage disturbances that are due to an increase in voltage and the other connector configured for the voltage disturbances that are due to a decrease in voltage since it has been held to be within the general skill of a worker in the art to make the connectors separable on the basis of its suitability for the intended use as a matter of obvious design choice. *Nerwin v. Erlichman*, 168 USPQ 177.

With respect to claim 14, Arnoldi discloses a computer to specify certain operating parameters [Fig 1, 36]

Claims 4, 6, 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arnoldi (USPAT 3,979,672) as applied to claims 1, 11 above, in view of Sarles et al (USPAT 6,359,426).

With respect to claims 4, 6 and 15, Arnoldi discloses the essential elements of the claimed invention except for applying a sequence of voltages during power-on, wherein a second

Art Unit: 2858

voltage is activated in a specific time after a first voltage was activated. Sarles discloses applying a sequence of voltages during power-on, wherein a second voltage is activated in a specific time after a first voltage was activated [Fig 7]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Arnoldi to include applying a sequence of voltages during power-on, wherein a second voltage is activated in a specific time after a first voltage was activated as taught by Sarles for the purpose of not stressing the DUT during start-up.

With respect to claim 7, Sarles discloses computer software controls [Fig 7].

Claims 5 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arnoldi (USPAT 3,979,672) as applied to claims 1, 11 above, in view of Nakagawa (USPAT 4,328,570).

With respect to claims 5 and 16, Arnoldi discloses the essential elements of the claimed invention except for wherein step (d) comprises applying a sequence of voltages during power-off, wherein a second voltage is deactivated a specific amount of time after a first voltage was deactivated. Nakagawa discloses applying a sequence of voltages during power-off, wherein a second voltage is deactivated a specific amount of time after a first voltage was deactivated [Fig 2A]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Arnoldi to include wherein step (d) comprises applying a sequence of voltages during power-off, wherein a second voltage is deactivated a specific amount of time after a first

Art Unit: 2858

voltage was deactivated as taught by Nakagawa for the purpose of providing a controlled shut-down.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne (Steve) LeRoux whose telephone number is (703) 305-0620.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, N. Le, can be reached at (703) 308-0750.

Any inquiry of a general nature relating to the status of this application or processing procedure should be directed to the receptionist whose telephone number is (703) 308-0956.

Etienne LeRoux

July 9, 2002

*Christine Oda*  
Christine Oda  
Primary Examiner